

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

PCS Phosphate Company, Incorporated,

Plaintiff,

v.

JUDGMENT IN A CIVIL CASE
Case Number 4:05-cv-55-D

Norfolk Southern Corporation, et
al,

Defendants.

X Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, ADJUDGED AND DECREED that on September 28, 2007, the court held that defendants are liable to plaintiff for breach of contract and breach of easement covenants. Based on the findings of fact and conclusions of law, the court finds and concludes that defendants are liable to plaintiff in the amount of \$15,037,527.13 and that defendants are also liable for prejudgment interest in the amount of \$3,753,366.77. Thus, the total award is \$18,790,893.90. The court further finds and concludes that post-judgment interest shall accrue from the date of judgment at the applicable rate. (Signed by U.S. District Court Judge James C. Dever III on January 28, 2008)

JUDGMENT FILED AND ENTERED THIS 28th DAY OF JANUARY, 2008, AND COPIES SERVED ELECTRONICALLY TO:

Charles E. Raynal, IV

R. Bruce Thompson, II

John S. Byrd, II

Odes L. Stroupe, Jr.

January 28, 2008

/s/ DENNIS P. IAVARONE, Clerk of Court